



DRAFT

July 22, 2003

Policy Brief..... FY 2004 Commerce, Justice, State Appropriations

BY THE NUMBERS:

Budget Authority in Millions of Dollars

	FY '03 Enacted	FY '04 Request	FY '04 Cmte Bill
Regular Appropriations	37,214	37,673	37,914

Figures provided by the Appropriations Committee.

The Committee bill is \$700 million or 1.9% above last year and \$237 million or 0.6% above the request.

PROGRAM TERMINATIONS:

- **Advanced Technology Program (ATP)** – The Committee eliminates funding for the program. Last year the program was funded at \$180 million.
- **East-West Center** – The Committee eliminated the direct funding for the Center. Last year the Center received \$17.9 million.

LANGUAGE OF NOTE:

- UNESCO: The bill includes \$71.4 million for the U.S. to rejoin UNESCO.
- Religious and Moral Protection: The bill continues prior-year language prohibiting any DOJ funds from being used to discriminate or denigrate moral or religious beliefs.
- FCC Media Ownership: The bill includes a provision to prohibit funds in the bill to grant licenses for a commercial TV broadcast station if the granting of that license would result in such party having an aggregate national audience reach exceeding 35 percent. This would override the FCC's recent decision.
- Amendments Related to Gun Owners: The bill includes several new provisions added by Rep. Tiahrt which, according to proponents, would among other things:
 - Prevent release of confidential law enforcement data-such as multiple handgun sales reports and unredacted firearm trace data. This information had never been

released until a court decision last year after lawyers took BATFE to court on a fishing expedition to gather evidence for lawsuits against the firearms industry.

- Prevent BATFE from building a gun registration database through demands for records that have always been retained only by dealers. Dealers would still have to comply with all trace requests sent to them by BATFE in the course of a legitimate criminal investigation, and any refusal could still be punished either as a criminal offense or by revocation of a dealer's license.
- Require immediate destruction of instant check records-as required by the Brady Act when it was passed in 1993.
- Restore a longstanding compromise on the "relief from disabilities" program. Individuals (such as convicted felons) who are prohibited from gun ownership would still be blocked from even asking for restoration of rights. The language would continue to allow corporations to apply for relief-so that the Attorney General would have full discretion to let a business stay open under new management when doing so would not jeopardize public safety.
- Clarify firearms licensing requirements. The language ensures that BATFE looks only at legitimate criteria in issuing dealers' licenses.
- Inventory. The language would prevent BATFE from finalizing a Clinton administration proposed rule that would require an intrusive and expensive complete physical inventory each year-which is not a normal business practice and is very burdensome for small businesses.
- Disclaimer on BATF Statistics. The amendment would put a disclaimer on BATFE trace studies, noting that firearms traces are performed to solve crimes, not as an academic exercise.

EARMARKS:

The Committee Report directs the Office of Justice Programs to report to Congress on whether or not it will fund over 100 separate projects (See Pages 41 through 45 of the Committee Report).

The Committee Report directs the COPS program to report to Congress on whether or not it will fund over 100 separate projects (See Pages 48 through 52 of the Committee Report).

The Committee Report directs the Office of Justice Programs to report to Congress on whether or not it will fund a nearly four-page long list of projects (See Pages 56 through 60 of the Committee Report).

FUNDING SUMMARIES & PERFORMANCE EVALUATION:

Special Note: As part of his FY 2004 Budget, the President included for the first time performance and management assessments for some federal programs. Programs evaluated were placed into one of five categories: effective, moderately effective, adequate, ineffective, or results not demonstrated (if inadequate data was available). For those programs assessed by the Administration and funded in this bill, the RSC has included the relevant evaluation. If a program is left blank, there was no evaluation included in the President's Budget.

Dollars in Thousands

	FY 2003 Enacted	FY 2004 Request	FY 2004 Cmte	Cmte Vs. FY 2003	Cmte Vs. Request	Cmte Vs. FY 2003	Cmte Vs. Request	Performance Rating
Department of Justice								
General Administration.....	1,213,912	1,377,506	1,321,548	107,636	-55,958	8.87%	-4.06%	
Parole Commission.....	10,420	11,051	10,609	189	-442	1.81%	-4.00%	
Legal Activities.....	3,004,370	3,199,934	3,034,254	29,884	-165,680	0.99%	-5.18%	
FBI.....	4,215,973	4,639,569	4,639,569	423,596	0	10.05%	0.00%	
DEA.....	1,550,773	1,558,743	2,157,792	607,019	599,049	39.14%	38.43%	Results not demonstrated
ATF.....	801,188	851,987	831,199	30,011	-20,788	3.75%	-2.44%	
Federal Prison System.....	4,444,827	4,492,743	4,667,526	222,699	174,783	5.01%	3.89%	Bureau of Prisons: moderately effective
Office of Justice Programs.....	3,593,684	2,331,232	3,491,261	-102,423	1,160,029	-2.85%	49.76%	
Justice Assistance.....	199,983	2,124,801	209,131	9,148	-1,915,670	4.57%	-90.16%	
State & Local Law Enforcement.....	2,030,990	0	1,640,861	-390,129	1,640,861	-19.21%		
Local Law Enforcement Block Grants.....	397,400	0	400,000	2,600	400,000	0.65%		
Indian assistance.....	17,883	0	13,000	-4,883	13,000	-27.31%		
State Criminal Alien Assistance.....	248,375	0	400,000	151,625	400,000	61.05%		
Juvenile Crime Block Grant.....	188,765	0	0	-188,765	0	-100.00%		Ineffective
Drug Courts.....	44,708	0	55,000	10,292	55,000	23.02%		Results not demonstrated
VAWA Grants.....	387,629	0	387,629	0	387,629	0.00%		
State Prison Drug Treatment.....	64,577	0	70,000	5,423	70,000	8.40%		
Weed and Seed Program.....	58,542	0	51,811	-6,731	51,811	-11.50%		Results not demonstrated
COPS Program.....	922,874	157,377	682,993	-239,881	525,616	-25.99%	333.99%	Results not demonstrated

	FY 2003 Enacted	FY 2004 Request	FY 2004 Cmte	Cmte Vs. FY 2003	Cmte Vs. Request	Cmte Vs. FY 2003	Cmte Vs. Request	
Commerce Department								
Trade Representative.....	34,772	36,994	41,994	7,222	5,000	20.77%	13.52%	
International Trade Commission.....	53,649	58,295	57,000	3,351	-1,295	6.25%	-2.22%	
International Trade Administration.....	359,838	382,123	382,123	22,285	0	6.19%	0.00%	
Bureau of Industry and Security.....	66,291	78,169	68,203	1,912	-9,966	2.88%	-12.75%	
Economic Development Admin.....	318,680	364,404	318,680	0	-45,724	0.00%	-12.55%	Moderately effective
Minority Business Development Agency.....	28,718	29,487	29,000	282	-487	0.98%	-1.65%	Results not demonstrated
Economic & Statistical Analysis.....	71,689	84,756	75,000	3,311	-9,756	4.62%	-11.51%	
Bureau of Census.....	550,878	661,961	661,961	111,083	0	20.16%	0.00%	
Telecommunications & Information Admin.....	73,279	21,407	37,940	-35,339	16,533	-48.23%	77.23%	
Patent and Trademark Office.....	1,182,000	1,395,055	1,238,700	56,700	-156,355	4.80%	-11.21%	Patents: adequate; Trademarks: moderately effective
National Institute of Standards and Technology.....	707,505	496,818	462,485	-245,020	-34,333	-34.63%	-6.91%	
National Oceanic & Atmospheric Administration.....	3,170,734	3,318,846	3,054,513	-116,221	-264,333	-3.67%	-7.96%	
Tourism Promotion.....	49,675	0	0	-49,675	0	-100.00%	#DIV/0!	
Departmental Management.....	65,163	80,569	66,662	1,499	-13,907	2.30%	-17.26%	
Judiciary								
Supreme Court Salaries & Expenses.....	45,458	57,477	55,360	9,902	-2,117	21.78%	-3.68%	
Care of Supreme Court Bldg & Grounds.....	41,355	4,658	10,591	-30,764	5,933	-74.39%	127.37%	
Other Courts.....	4,617,658	5,191,478	4,963,539	345,881	-227,939	7.49%	-4.39%	

	FY 2003 Enacted	FY 2004 Request	FY 2004 Cmte	Cmte Vs. FY 2003	Cmte Vs. Request	Cmte Vs. FY 2003	Cmte Vs. Request	
State Department								
Diplomatic & Consular Programs.....	3,797,413	4,163,544	4,099,961	302,548	-63,583	7.97%	-1.53%	
Educational & Cultural Exchange.....	243,712	345,346	345,346	101,634	0	41.70%	0.00%	
Embassy Security, Construction.....	505,195	653,000	532,935	27,740	-120,065	5.49%	-18.39%	Moderately effective
Worldwide Security.....	750,093	861,400	861,400					
International Organizations.....	860,371	1,010,463	1,010,463	150,092	0	17.45%	0.00%	
International Peacekeeping.....	669,331	550,200	550,200	-119,131	0	-17.80%	0.00%	
International Commissions.....	57,130	71,710	57,101	-29	-14,609	-0.05%	-20.37%	
Payment to Asia Foundation.....	10,376	9,250	10,376	0	1,126	0.00%	12.17%	
East-West Center.....	17,883	14,280	0	-17,883	-14,280	-100.00%	-100.00%	
National Endowment for Democracy.....	41,727	36,000	42,000	273	6,000	0.65%	16.67%	
Broadcasting Board of Governors.....	503,341	563,500	563,500	60,159	0	11.95%	0.00%	Broadcasting to Near East Asia and South Asia: Results not demonstrated
Related Agencies								
Civil Rights Commission.....	9,037	9,096	9,096	59	0	0.65%	0.00%	
Commission on Int'l religious Freedom.....	2,865	3,000	3,000	135	0	4.71%	0.00%	
Commission on Security and Cooperation in Europe...	1,572	1,615	1,615	43	0	2.74%	0.00%	
Congressional-Executive Commission on China.....	1,371	1,800	1,800	429	0	31.29%	0.00%	
State Justice institute.....	2,981	0	3,000	19	3,000	0.64%		
Equal Employment Opportunity Commission.....	306,815	334,754	328,400	21,585	-6,354	7.04%	-1.90%	
Federal Communications Commission.....	270,987	280,798	278,958	7,971	-1,840	2.94%	-0.66%	
Federal Trade Commission.....	176,553	191,132	183,041	6,488	-8,091	3.67%	-4.23%	
Legal Services Corporation.....	336,645	329,300	338,848	2,203	9,548	0.65%	2.90%	
Securities & Exchange Commission.....	745,789	841,507	841,500	95,711	-7	12.83%	0.00%	
Small Business Administration Salaries & Expenses...	312,413	360,155	326,592	14,179	-33,563	4.54%	-9.32%	
Business Loan Program Account.....	216,668	225,770	215,715	-953	-10,055	-0.44%	-4.45%	Results not demonstrated
Disaster Loan Program Account.....	190,250	200,463	190,250	0	-10,213	0.00%	-5.09%	